

New York State Police Reform & Reinvention Collaborative

Prepared by a committee of elected leaders, the police department, local leaders, members of the community, and content area experts in accordance with Governor Cuomo's Executive Order 203 for the Village Police Department of South Glens Falls, NY.



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Reform Committee Members

- Harry G. Gutheil, Mayor of South Glens Falls
- Joseph Orlow, Village of South Glens Falls Trustee, Business Owner
- Donna Nichols, Executive Director of the Moreau Community Center, Community Leader
- Mary Gooden, NAACP Glens Falls Branch President
- Kristine Orr, Superintendent of the South Glens Falls Central School District
- Cheryl Lawyer, Educator, Business Community Member
- Zac Perry-LaPoint, Community Member
- Chief David J. Gifford, South Glens Falls Police Department (SGFPD)
- Sergeant Jason Martin, SGFPD
- Patrolman Phillip Lindsey, SGFPD
- Karen A. Heggen, Saratoga County District Attorney (Advisory Member)
- Heather Brondi, Saratoga County Public Defender's Office (Advisory Member)
- Father Guy Childs, St. Michael's Catholic Church (Advisory Member)

New York State Executive Order 203

Governor Andrew M. Cuomo, on June 12, 2020, signed Executive Order 203 in response to recent police-involved deaths of unarmed civilians, predominantly black and African American males. As a result of these actions, trust in many of our police agencies has eroded to a point where it is of the utmost importance to make necessary changes to policing policies and procedures so that all [are deemed fair to all people, regardless of race, color, religion, age, ethnicity, gender, sexual orientation, gender identity, or disability](#).

The South Glens Falls Police Department has always been committed to these principles and strives to treat all our community members with fairness and respect.

The plan herein is a concerted effort by stakeholders, community members, residents, Mayor Harry G. Gutheil, Village Trustees, and Chief of Police David J. Gifford to prove to our community that our police department is constantly being improved so we never lose the mutual trust and respect we currently share with our community. To this effect, the police department not only enforces laws, but engages with our community on many levels; such as youth mentorship, providing crime-reduction assistance and advice to residents and businesses, and by acting as a diplomat for the Village of South Glens Falls, etc.

The South Glens Falls Police Department does not face the issues often seen on the news that many larger departments face. Though we don't experience as many "big-city" issues such as civil unrest resulting in property damage and physical injuries, we are not, however, immune to crimes that are usually more frequently experienced in larger cities, such as homicides, sexual assaults, felony drug sales, and assaults. With this in mind, we are constantly aware that any situation that arises could escalate to a dangerous level quickly, and we rely on our current training, procedures and policies to avoid injuries to anyone involved.

South Glens Falls Village Overview

The Village of South Glens Falls is in northeast Saratoga County, New York and lies about 50 miles north of the capital City of Albany. To the north it borders the City of Glens Falls in Warren County, separated by the Hudson River which runs between the two municipalities. To the east lies the Village of Hudson Falls in Washington County, and is again separated by the Hudson River.

South Glens Falls was incorporated in 1895 and covers approximately 1.5 square miles. US Route 9 runs through the village from north-to-south and is an extremely busy route for residents, commuters, tourists and commercial traffic.

South Glens Falls is primarily a residential community with a consistent population of about 3,500 residents. The racial structure according to the 2010 US Census shows the village is largely Caucasian with an estimated diverse population of less than 3%. There are numerous small-to-medium size businesses throughout the village with a few larger manufacturing companies in and around the village as well.

In the fiscal year of 2020-2021 the Village of South Glens Falls' General Fund total is \$2,867,507.00. The budget for the police department is \$616,026.00.

South Glens Falls Police Department Overview |

The Mission of the SGF Police Department is to serve and protect the persons and property within the Village of South Glens Falls, and to enforce all state and local laws in a **PROFESSIONAL MANNER WITH FAIRNESS AND COURTESY TO ALL WITHOUT CONSIDERATION OF CLASS, CREED, COLOR, OR CONDITION.**

- **Personnel & Rank Structure:**

Mayor, Harry G. Gutheil, Jr.
Deputy Mayor/Trustee, Timothy Carota
Village Trustees, Tony Girard, Nicholas Bodkin, Joseph Orlow
Chief of Police, David J. Gifford
Police Sergeants, Todd Moulthrop & Jason Martin
Patrolmen: 2 Current FT (1 open position)
8 Current PT
2 School Crossing Guards

- **Scheduling & Assignments:**

Officers are assigned shifts to provide coverage of the 1.5 sq. mile village, answering any calls along the following shifts:

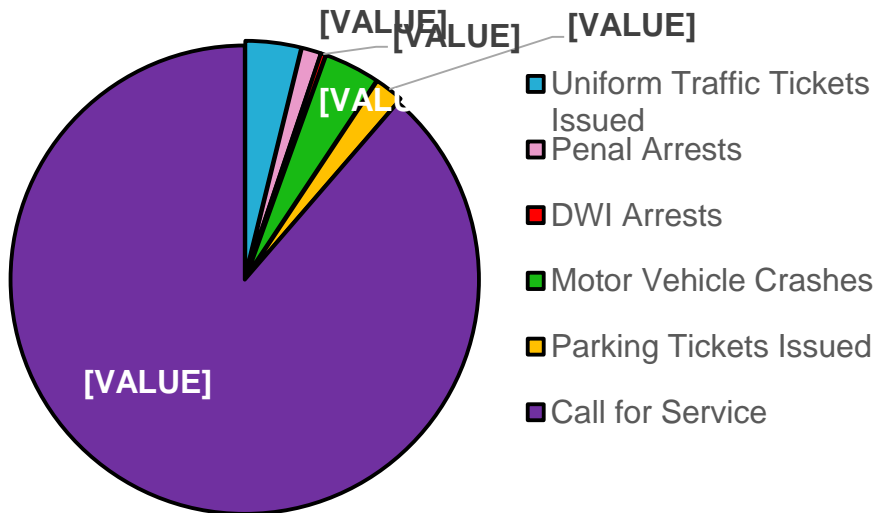
Overnight, 12a-8a | Day, 8a-4p |
Evening, 4p-12a

- Our philosophy embraces a wholehearted determination to protect and support individual rights while at all times providing for the security of persons and property in the community **REGARDLESS OF RACE, COLOR, RELIGION, AGE, ETHNICITY, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.**
- In meeting these objectives, it is our duty and privilege to operate as a public service organization.

Calls for Service & Statistics |

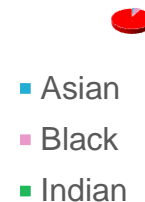
This department is an organization whose very existence is justified solely on the basis of community service. The greatest percentage of our calls for service are for non-criminal service functions and dealing with law-abiding citizens of the village and commuters passing through. Most of our calls are from citizens requesting assistance, and we fulfill these requests to the best of our abilities and limitations, even when non-police related.

- 2019 SGFPD Statistics:



- Between 6 and 11 Sex Offenders were monitored throughout the year.
- Only 15 of the 150 motor vehicle accidents involved personal injury
- The Department fields an average of 9.49 service calls/day

Arrests



7.7% OF ARRESTS WERE PEOPLE OF COLOR.

Use of Force Statistics [2018 – 2020]

- 2018: 1 Occurrence
- 2019: 2 Occurrences
- 2020: 2 Occurrences

THE SOUTH GLENS FALLS POLICE DEPARTMENT SUPPORTS THE OUTLAWING OF THE CHOKEHOLD AND OTHER SUCH AIRFLOW-OBSTRUCTING MANEUVERS USED IN THE FIELD BY SOME OFFICERS ACROSS THE STATE AND COUNTRY. THESE PRACTICES VIOLATE THE INHERENT DIGNITY OF LIFE AND ARE NOT SUPPORTIVE OF THE MISSION AND VISION THE DEPARTMENT HAS CREATED.

Common Across all occurrences:

- **No IMPACT WEAPONS** were used – **No FIREARMS DISCHARGED.**
- 3 required the use of a Taser
- All 5 occurrences involved **WHITE** suspects
- 2 were Mental Health-related violations
- 3 were Penal Law offenses

Additional Statistics [2018 – 2020]

- 0 [zero] civilian complaints against the Department.
- 3 responses to overdoses in which the responding officer administered Naloxone (Narcan), resulting in no deaths.
- Numerous house and business checks – especially on night shifts.
- 76 vehicles unlocked by officers after operator locked the key inside.

Methodology & Timeline

November-December 2020 - Mayor Gutheil and Chief Gifford began an assessment of the police department. This process assessed the duties of police officers, department staffing, and defined the goals of the department. It also included reviewing and renewing the outdated 400-page (approx.) policies and procedure manual. Many of the policies and procedures had to be updated due to the changing, addition or deletion of some state laws. The manual had not been revised since about 2002.

January-February 2021 - A Reform Compliance Committee was chosen, which included South Glens Falls Elected Officials, members of the South Glens Falls Police Department, including the Chief and a PBA (union) officer, members of the business community, members of the Moreau Community Center, a local school official, religious leaders, the local NAACP Branch President, and other interested parties. The Saratoga County District Attorney was contacted and is actively involved as an advisor.

March 2021 – Committee members, during an in person and COVID-19 compliant meeting at the Moreau Community Center, decided unanimously to approve the resident/business survey outline and to immediately begin distributing the surveys to village residents and businesses. 100 surveys were mailed to random addresses provided by the village clerk's office. At least another 100 surveys were personally handed out to residents and businesses by committee members. Public announcements were made using the South Glens Falls Police Facebook page and the Village of South Glens Falls official website at sgfny.com. A COVID-19 compliant station was set up in the police department building lobby where visitors could fill out one of the surveys that were available. Committee members gathered, discussed, and compiled responses for presentation to the Village Board of Trustees and for public comment for the purpose of transparency as part of the reform process. The reform committee held two public Zoom meetings where the entire plan draft was read and a total of 5 individuals attended and had no questions or concerns about the plan. These meetings were advertised in the Post-Star newspaper, on the South Glens Falls Village website, and on the South Glens Falls Police Facebook page and other community social media platforms.

Public Concerns/Comments | Survey Responses

- More than 200 surveys were distributed by mail and hand-delivered. They were also made available online and at locales within the community.
- The following pages present the issues Executive Order 203 is tasked with addressing, provide clarification of the SGFPD policies, and the public response. In the interest of this process, equal time may not be paid to responses not related to the concerns laid out in Executive Order 203, but all issues are being documented and the SGFPD remains open to hearing from the community.
- Note: Responses are tidied up for presentation and publication, but none have had content edited.
- This information, coupled with the work of the committee, is utilized in the process of creating reform, corrective action, planned change and/or programming.

Section 1 | Deployment and Policing Strategy:

SGFPD patrols cover the approximately 1.5 square mile village. At the beginning of each shift, patrols are briefed of any areas that may require an increased police presence. It is the information received from prior shifts, along with citizen concerns/complaints, that direct the patrols where they are needed the most.

- **Q: Do you see this deployment practice or policing strategy as demonstrating any racial bias?**
A: 10 “no” | “It could depending on bias from community members.”
- **Q: Do you feel that this deployment practice results in unfair, disproportionated policing of communities of color?**
A: 10 “no” | “It seems logical that focus should be in areas of concern regardless of demographic.” | “It is possible.”
- **Q: Any other questions or comments?**
A: 4 “no” | “None whatsoever. If restraints precipitated by concerns about "racial bias" put officers in peril, the community will suffer.”
- **Committee Observations & Recommendations:**
 - While the majority of respondents feel there are no issues of racial bias to be concerned about, there is a thread of consciousness that acknowledges that there is room within the policy that could allow for this to become a concern.
 - Effective March 2021, the Chief of Police has found Diversity Training for the department. Budgetary limits will delay the deployment of this programming.

Section 2 | Use of Force:

Our policy on the use of force is currently being updated to include any newly enacted laws and it will follow the [New York Municipal Police Training Council \(MPTC\) model policy](#). The update will include the prohibiting of any illegal chokeholds/obstruction of breathing.

- **Q: Do you have any question or concerns about the use of force policy?**

A: 9 “no” | “If officers are placed in physical situation by anyone, the officers' safety must be the paramount consideration.” | “I would like to see this expand and cover training and implementation of de-escalation tactics.” | “What (force) is considered obstruction of breathing?”

Section 3 | Procedural Justice:

Please refer to the Department’s Mission Statement. The SGFPD strives to treat all people fairly and with respect.

- **Q: Are there any suggestions you can think of that would help give our citizens more confidence that we treat all people equally?**

A: 10 “no” | “Are there any efforts to provide outreach to areas of concern/areas of racial diversity? Community outreach?” | “A more diverse police force (racially and gender).” | “No they do a wonderful job.”

Section 4 | Bias:

This department follows the Municipal Police Training Council (MPTC) model policies and our mission statement.

- **Are there any additional steps we could take to assure our citizens that our agency is free of bias in our actions?**

→ 10 “no” | “Community outreach?” | “A more diverse police force (racially and gender).”

Section 5 | De-Escalation

The SGFPD uses de-escalation techniques in lieu of physical force where it is reasonably permissible and practical.

- **Q: Do you have any questions or concerns for de-escalation procedures?**

A: 8 “no” | “A variety of techniques should be available to the law enforcement professional, including use of force.” | “How often is this training conducted and evaluated?” | “No not as long as they [are] safer.” | “How often is training required?”

Section 6 | Law Enforcement Assisted Diversion Programs

The SGFPD **DOES NOT** utilize diversion programs for individuals who have not committed a crime. An exception to this is that we refer any **juvenile offenders** to the county probation department and assist with Person In Need of Supervision (PINS) petitions on occasion.

- **Q: Do you have any suggestions on any available services that may assisted with diversion programs?**

A: 11 “no” | “Appropriate and reducing future problems.” | “Bringing in social service staff person and a domestic violence expert.”

Section 7 | Restorative Justice

“**Restorative Justice**” is a response to crime that involves organizing a meeting between the offender and the victim, so they share their experience of what happened, discuss who was harmed and how, and to create a consensus for what the offender can do to repair the harm.

- **Q: What are your thoughts on Restorative Justice?**

A: “I think it is a good practice whenever feasible and an anticipated positive outcome may occur.” | “Not for me.” | “Good.” | “Not in favor.” | “Bad guys do bad things.” | “Very appropriate and looking forward.” | “Great idea- could be very helpful to both parties.” | “No response” | “O.K. only if victim approves.” | “Depends on the degree of the crime - misdemeanor or felony?” | “Excellent way to emphasize responsibility and accountability.” | “I think it's crazy to bring 2 people that don't get along together. It just keeps the fight going.” | “Does this mean our local police are mediators, do they have proper training?”

Section 8 | Community-Based Outreach and Conflict Resolution

The concept of community-based outreach works best in cities and smaller municipalities, where an officer can be regularly assigned to the same neighborhood. We have that advantage here being it is a small community. Our officers are able to perform security checks of closed businesses and residences, church crossings, and funeral escorts.

- **Q: Are there any ways we can expand community outreach without requiring additional resources?**

A: 5 “no.” | “I think the SGFPD has done a good job of engaging citizens.” | “Doing good job.” | “We and you are benefited by our community's small size.” | “[You’re] already doing a great job.” | “Believe there is no need to expand.” | “Walking patrols to become part of the neighborhoods, walking patrols on the bikeway.” | “Feel it’s a waste of police time to direct traffic for church & funeral services. A traffic light that is on for only those times, like in front of the firehouse would do. Always are exceptions if it’s a very large funeral, but not every week.”

Section 9 | Problem-Oriented Policing & Hot-Spot Policing

Problem oriented policing and hot spot policing are similar concepts, involving identifying and analyzing specific crime problems and locations and targeting resources toward solving those problems. We employ these concepts, in effect, in the following manners:

>All officers prior to each shift will be briefed by the last shift of any problems or problem areas that may require extra attention during their shift as stated earlier.

>SGFPD has an officer assigned as a member of the local drug task force.

- **Q: Is there any particular crime problem that you feel the PD may be unaware of?**

A: 7 “no.” | “Yes, it seems logical that focus should be in areas of concern regardless of demographic.” | “Very sensible approach to serving the community and preventing crime escalation.” | “The guy in the ice cream truck following middle school girls... burn[ing] all kinds of stuff (pool tables, etc.) within the village.” | “No – Speeding on side streets is a big problem.”

The SGFPD and Village of South Glens Falls have already addressed the ice cream truck concern.

Section 10 | Focused Deterrence

“Focused Deterrence” is a crime reduction strategy which aims to deter crime by increasing the swiftness, severity, and certainty of punishment, usually directed at a specific crime problem such as gun violence. **Law enforcement can play a role in focused deterrence, but the swiftness, severity and certainty of punishment are primarily determined by actions of the prosecution and courts.**

- **Q: Is there a particular crime problem in our village that you think could be best addressed by devoting police resources and effort toward focused deterrence of that crime, and what steps do you think should be taken to make this effective?**
A: 6 “no.” | “Speeding on side streets, littering and disrespect of community property. This is a difficult task for the police and might be better served by a community beautification committee.” | “Drugs-identify what the drugs are, where the drugs are. Police officers directly involved with young kids/teens on a regular basis, maybe not when there is ‘just a problem.’” | “If prosecution and court officers had to patrol with police in their communities, we would be better served.”

Section 11 | Crime Prevention Through Environmental Design

Attention to environmental design can help to increase the probability that an offender will be caught. Studies show that increased probability of capture tends to deter the commission of crime. Examples of crime prevention through design would be better lighting in crime-prone areas, conspicuous placement of security cameras with attendant conspicuous signage, elimination of shrubbery where it could serve as a hiding place for an attacker, etc. **Environmental design is not usually a function of law enforcement, but law enforcement can play a role by identifying possible improvements in the built environment which could help deter criminal activity in the area.**

- **Q: Do you know of any area in the Village that would/could require attention?**
A: 7 “no.” | “17 years on Marion Ave. and have never had a problem with the PD. They are all very respectful When looking at staffing seems a bit bare bones. Thank you.” | “As a community we are better served when government follows police advice and performance rather than hamstringing them.” | “Along Main Street between Saratoga Avenue and William Street is really dark.” | “No-people (party) on the Betar path after dark but I don’t know how that can be stopped.”

Section 12 | Violence Prevention & Reduction Interventions

Violence prevention refers to the reduction in the frequency of new cases of violent victimization or perpetration through direct efforts to remove or reduce the underlying causes and risk factors, and by harnessing the indirect effects of other policies and programs that may contribute to reducing exposure to underlying causes and risks.

>SGFPD has an officer assigned to the local Drug Task Force

>The Chief of Police is assigned to monitor sex offenders who reside in the village.

>The department assists the School Resource Officer with safety issues or concerns.

- **Q: Do you have any suggestion on violence strategies that could be implemented by this department or by another agency?**

A: 7 “No.” | “Prevention through analysis, understanding and interpretation are vital.”

Section 13 | Model Policies Promulgated by the Municipal Police Training Council (MPTC)

The State MPTC, from time to time, develops a model policy on one or another aspect of police operations, which it offers to police agencies for consideration for adoption. Other organizations also develop model policies. Not every model policy is suited to be adopted by every agency. Many agencies develop their policies and procedures by studying model policies from many sources, and by studying actual policies being successfully used by other law enforcement agencies around the country.

>The SGFPD has adopted the MPTC Use of Force Policy and other policies based on other local police department's policies and procedures.

- Q: Do you have any questions, concerns, or comments?**

A: 4 “No.” | “No. I think that following the MPTC standards is appropriate.” | “No if it ‘isn't broke, don't fix it.” | “Other model policies provide broader based approaches when local departments are allowed to adapt them to the area they know best.” | “The local police dept. does an excellent job in keeping the community safe and we strongly support them!” | “Who has the final say in the adopted policies?”

Section 14 |

Q: Are you satisfied with the policies and the way the village is being policed?

- **A:** 6 “yes.” | “Yes! I think that we have a dedicated, community-engaged, caring police force. I have always been pleased with their response, and I have always been willing to support them. Thank you all for your service!” | “Absolutely. They are great!” | “We are satisfied with and grateful for the department that has served us well for so long.” | “Very! The Highway Dept. and Police Dept. should be a model for other villages.” | “I would live[love] a more holistic approach.” | “Yes, they've always done a great job. Great job on drug busts also.”

Section 15 | Additional Comments

“Thank you to all the men and women who serve to protect the South Glens Falls community. I have always been appreciative of their engaging caring support of our community. I have a few special stories to share to support my opinion, but not enough room to write them here. I am very thankful for the work of the SGF PD!”

“More or better policing of the fire lane between 2nd and 3rd Streets on the river side of Main Street. “

“Having residing in SGF for over 23 years, I have found the PD to be extremely professional __?__. Am completely satisfied with the services provided under the leadership of Chief Judd and now Chief Gifford.”

Corrective Actions Taken or Planned

This committee can only make recommendations based on the feedback from the community, and the individual knowledge, skill-sets, and diverse backgrounds that each brings to the discussion, allowing them to reasonably and objectively evaluate the functions and biases, perceived or otherwise, that may now or in the future affect policing.

Racial & Other Biases: The SGFPD will work with area departments and service agencies to find or create, secure, and fund diversity and inclusion programming. Programming will become part of on-going training of officers.

Though in an area of limited diversity, the SGFPD will seek out opportunities to recruit diverse, skilled talent as often as is possible, including but not limited to career recruitment programs with students in the local high school and through the local community college, etc.

The department is already an [Equal Opportunity Employer](#) and will make this fact more widely known, especially when recruiting new officers.

Beginning in 2021, the South Glens Falls Police Department will mandate De-Escalation & Reasonable Use of Force and Anti-Bias for Law Enforcement web-based training for all members of the department. These trainings will be conducted yearly going forward.

Policing Practices:

The SGFPD already has a working relationship with the local hospital and some mental health professionals. When officers believe, based on their training and judgement, that a mental health expert should be on scene or prepared, the officer does so. This practice will continue and the SGFPD remains open to additional opportunities to better prepare and ensure the safety of officers and community members.

The SGFPD will continue to, and more actively, take note of areas in the community in which [environmental design](#) could improve safety and security and communicate this to the appropriate municipalities.

The SGFPD will remain open to adding foot patrols to its routine as funding becomes available to safely support the staffing needs for this type of policing.

The SGFPD will remain open to supporting [restorative justice](#) opportunities when and only when the victim chooses to participate of their free will.

Community Engagement & Outreach:

The SGFPD will seek out additional methods by which to engage the with the community in positive, person-affirming, mutually-supportive means. This will include, as feasible, seeking out its own website, and increasing digital interaction to remain current and relevant in a 21st century.

The SGFPD will seek out, as feasible, ways to explore non-police staff employed by the department.

Oversight & Accountability:

These goals are all attainable. Some are in progress; some are still waiting down the timeline for development. None of these goals will be wholly attainable without the support of the community, however. As such, the SGFPD remains committed to working with this and/or a similar collaborative body which brings together on a semi-regular-to-regular basis, community members, leaders, and department and municipal leadership to ensure that our community is a pro-active, safe, and inviting one.

Conclusion

In response to Executive Order 203 signed by Governor Andrew Cuomo on June 12, 2020, the Village of South Glens Falls, New York has created a Police Reform and Reinvention Plan that meets or exceeds the intended purpose of the order.

The South Glens Falls Reform Committee, using input from the residents and business owners within the Village, created a plan that improves on the current policing practices and increases the awareness that all police officers and agencies will continuously strive to better the relationship it has with all members of our community.

The Village of South Glens Falls Board and Police Department realize their response to Executive Order 203 is only the beginning of our commitment to ensure that our police force is always fair and un-biased to all members of our community. It is our intent to continue regularly scheduled committee meetings and continue to accept the concerns, comments, suggestions and ideas from the public so that we are always trying to improve community relations.

The Village Board and Police Department wish to express our sincere gratitude to all the Reform Committee members who selflessly committed their own time to ensure this reform plan was completed thoroughly and in a timely manner, to the Moreau Community Center staff for allowing us to use their facilities and meet in a COVID-compliant setting, and to our community members for their input to ensure this process was successful.

David J. Gifford, Chief of Police, South Glens Falls Police Department